

LAW OFFICES OF PETER GUADAGNINO
A PROFESSIONAL CORPORATION

PETER GUADAGNINO, ESQ.
ATTORNEY AND COUNSELOR AT LAW

**30 WALL STREET, 8TH FLOOR
NEW YORK, NEW YORK 10005
OFFICE (212) 709-8099
FASCIMILE (718) 213-4744**

September 25, 2020

BY ECF

The Honorable Leo Glasser
United States District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

Re: *United States v. Akmal Narzikulov* 19 Cr. 223 (ILG) - Reconsideration of denial of bail

Dear Judge Glasser:

At the behest of Mr. Narzikulov, I write the Court to **request reconsideration of his denial of bail.**

A detention hearing was held by your Honor on **June 19, 2019** where the Court considered de novo a decision by the Hon. Magistrate Judge Robert M. Levy on **April 29, 2019** denying the defendant bail. After the June 19 hearing, your Honor denied the defendant bail and a permanent order of detention was entered. The Government opposed bail on both grounds of (1) risk of flight and (2) danger to the community.

A second detention hearing was had before Your Honor on **March 13, 2020**. Again, the Government opposed bail on both grounds of (1) risk of flight and (2) danger to the community. The Court's denial of bail was appealed to The United States Circuit Court for the Second Circuit on COVID-19 grounds and in **June of 2020**, the Second Circuit also denied Mr. Narzikulov bail.

Mr. Narzikulov states that the conditions at M.D.C. Brooklyn are detrimental to his health and his ability to effectively prepare for his defense.

First, he says that he has been trying to see a dentist for months to have cavities in two teeth filled and his request has not been answered by the B.O.P..

Second, he states that he has been asking to see a urologist for problems that he has been having while urinating. This request has also been unfulfilled by the B.O.P..

Third, the lump that he has by his elbow is getting larger and more painful. This lump was addressed during the March 13, 2020 bail hearing on page three (3) of the included transcript. He states that he consulted a doctor at the M.D.C. in August who told him he needed to have surgery. To this date, he has not been scheduled for the surgery.

Fourth, the conditions in his cell are deplorable. The toilet is broken. The toilet will not flush causing feces and urine to spill out onto the floor. The B.O.P. has not done anything to fix the toilet. Mr. Narzikulov has felt nauseous and ill throughout this situation. Also, his sink doesn't work. He cannot brush his teeth or wash his hands. Finally, the light in his cell is very dim. He states that the cell is very dark and it is very difficult for him to see what he is doing.

Lastly, the Government sent discovery one week ago to the M.D.C. by Federal Express. The B.O.P. received it and has still not provided it to him.

Thus, for all of the foregoing reasons, Mr. Narzikulov wants the Court to reconsider granting him bail.

Respectfully Submitted,

Peter Guadagnino

Peter Guadagnino, Esq.

Attorney for Akmal Narzikulov